

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

CHARLES W. BAKER and
AMY W. BAKER

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:08CV649-LTS-RHW

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY

DEFENDANT

ORDER GRANTING MOTIONS TO QUASH

Before the Court are Defendant's [39, 40, 41, 42] Motions to Quash Subpoenas. The motions were filed on July 29 & 30, 2009. On July 30, 2009, the Court entered an [43] Order Staying Responses to the Subpoenas pending full briefing of the Defendant's Motions to Quash. Plaintiff has not filed a response to the motions, and the time to do so has passed. The Court is persuaded that the motions to quash should be granted. The subpoenas are improper because each of the subpoena recipients lives outside of this Court's jurisdiction; therefore, the subpoenas should have issued from courts other than the Southern District of Mississippi. *See* Fed. R. Civ. P. 45(a)(2)(c). Furthermore, Plaintiffs failed to serve any notice upon the Defendant regarding the subpoenas. *See* Fed. R. Civ. P. 45(b)(1). Hence The Court finds that the motions to quash should be granted both on the merits and pursuant to Local Rule 7.2(C)(2).

IT IS THEREFORE ORDERED AND ADJUDGED that the Defendant's [39, 40, 41, 42] Motions to Quash Subpoenas are GRANTED.

SO ORDERED, this the 1st day of September, 2009.

s/ Robert H. Walker
UNITED STATES MAGISTRATE JUDGE